

NATURAL RESOURCES AND CONSERVATION



GREG GIANFORTE, GOVERNOR

1539 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE: (406) 444-2074
FAX: (406) 444-2684PO BOX 201601
HELENA, MONTANA 59620-1601

DECISION NOTICE ADOPTION OF EXISTING ENVIRONMENTAL REVIEW

Fergus County – Winifred Water Storage and Distribution Upgrades
August 2020
Fergus County
47.56, -109.38; Township 21N, Range 18E Section 26
Fergus County

Existing Environmental Review Document: Montana Community Development Block Grant (CDBG)
Program Environmental Assessment

Type and Purpose of Action

The Town of Winifred's water storage and distribution system lacked adequate water storage capacity leading to freezing in the winter and lack of water during peak demand with no fire reserve. Violations of Circular DEQ 1 related to static water pressure and hydrant flows also needed to be addressed. Neither the system individual water service lines nor one of the pumphouse wells were metered and the existing pumphouse was inadequately equipped. There were two dead-end water mains that required looping to improve circulation and fire flows.

The Town of Winifred is nearing completion of construction of the water system project that includes construction of a 170,000-gallon glass lined steel water tank and demolition of the existing storage tank with approximately 3,600 feet of new 4-inch PVC to connect the well supply line to the new tank. Design is also complete for the upgrades to the pump house. Water meters and a supply line looping the system are installed. The project eliminates the pressure tanks in the pump house, so the entire system operates as a single pressure zone, with pressure controlled by pumps at the new tank. The project is located within Township 21N, Range 18E Section 10 in Fergus County, Montana.

Change orders have been issued throughout the project to include additional meters, backflow preventers, and well line modification to ensure adequate pressure in the system. The project was expanded to ensure the controls of the system accommodated the Town's need and fire hydrants are planned for replacement throughout town.

The entire project addresses current deficiencies in the existing system and the design of the project also improves fire flows, particularly the two dead end water mains that require looping to improve circulation and fire flows.

Construction began in August 2020 and the grant recipient is seeking reimbursement using ARPA Minimum Allocation grant funding.

Explanation of the decision(s) that must be made regarding the proposed action (i.e. approve grant or loan and provide funding):

DNRC will approve the grant and loan to provide funding for the Fergus County – Winifred Water Storage and Distribution Upgrades Project.

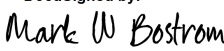
Criteria for Adopting Existing Environmental Review

- ☒ The existing environmental review covers an action paralleling or closely related to the proposed action.
- ☒ The information in the existing environmental review is accurate and clearly presented.
- ☒ The information in the existing environmental review is applicable to the action being considered.
- ☒ All appropriate Agencies were consulted during preparation of the existing environmental review.
- ☒ Alternatives to the proposed action evaluated as part of the existing environmental review effort.
- ☒ The impacts of the proposed action been accurately identified as part of the existing environmental review.
- ☒ The existing environmental review identifies any significant impacts as a result of the proposed action and those identified will they be mitigated below the level of significance.

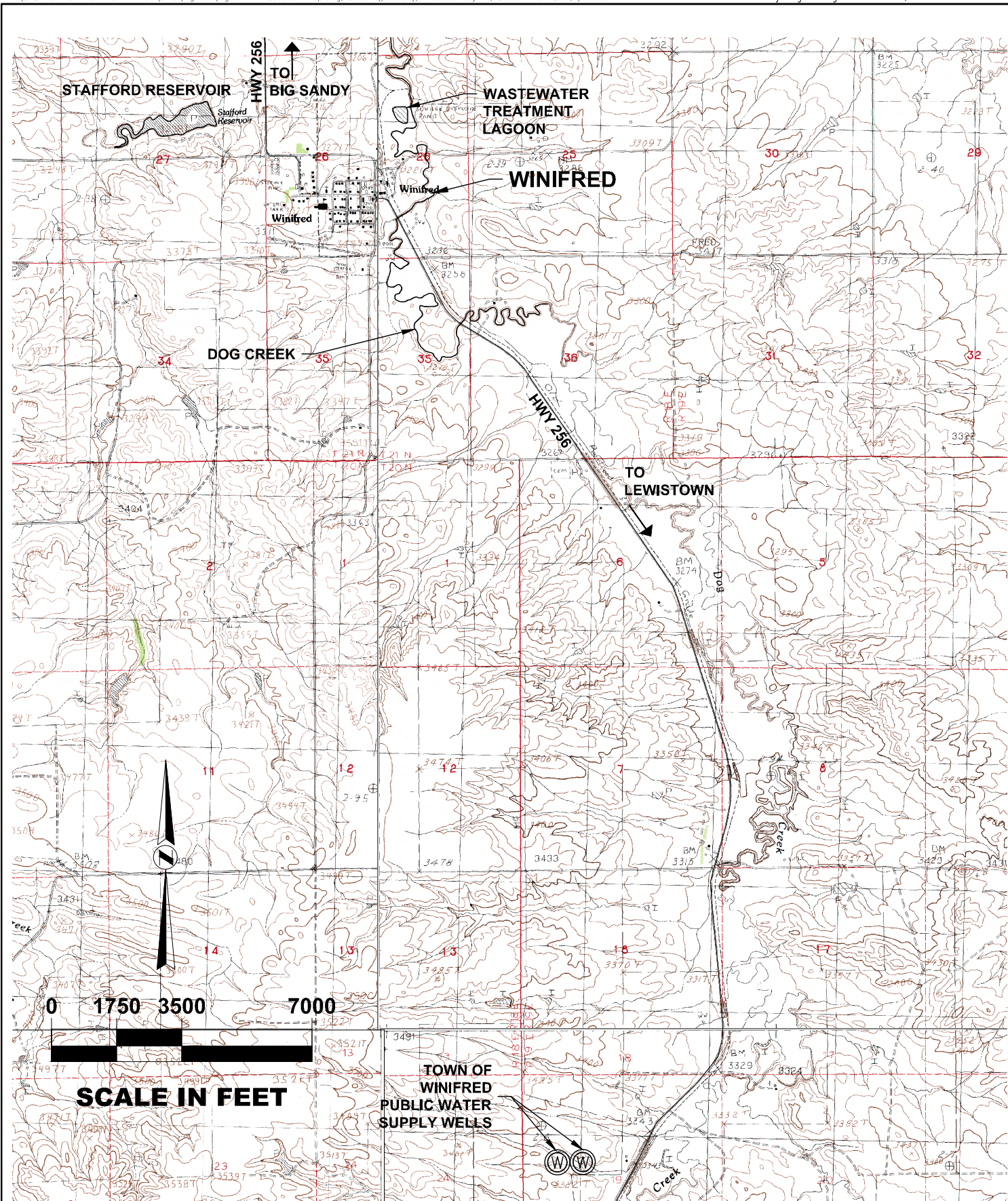
Adopt

The existing environmental review can be considered sufficient to satisfy DNRC's MEPA review responsibilities. No further analysis needed.

Existing Analysis Reviewed By:	Name: Demitra Blythe Date: 1/3/2022 Title: Email: CARD Division MEPA/NEPA Coordinator
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Approved By:	Name: Mark Bostrom Title: CARD Division Administrator
Signature:	DocuSigned by:  BF7A1C50B2AF4DE...

Date: 1/5/2022 | 10:26:11 AM MST



STAHLY ENGINEERING & ASSOCIATES
PROFESSIONAL ENGINEERS & SURVEYORS

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Fax: (406)442-8557

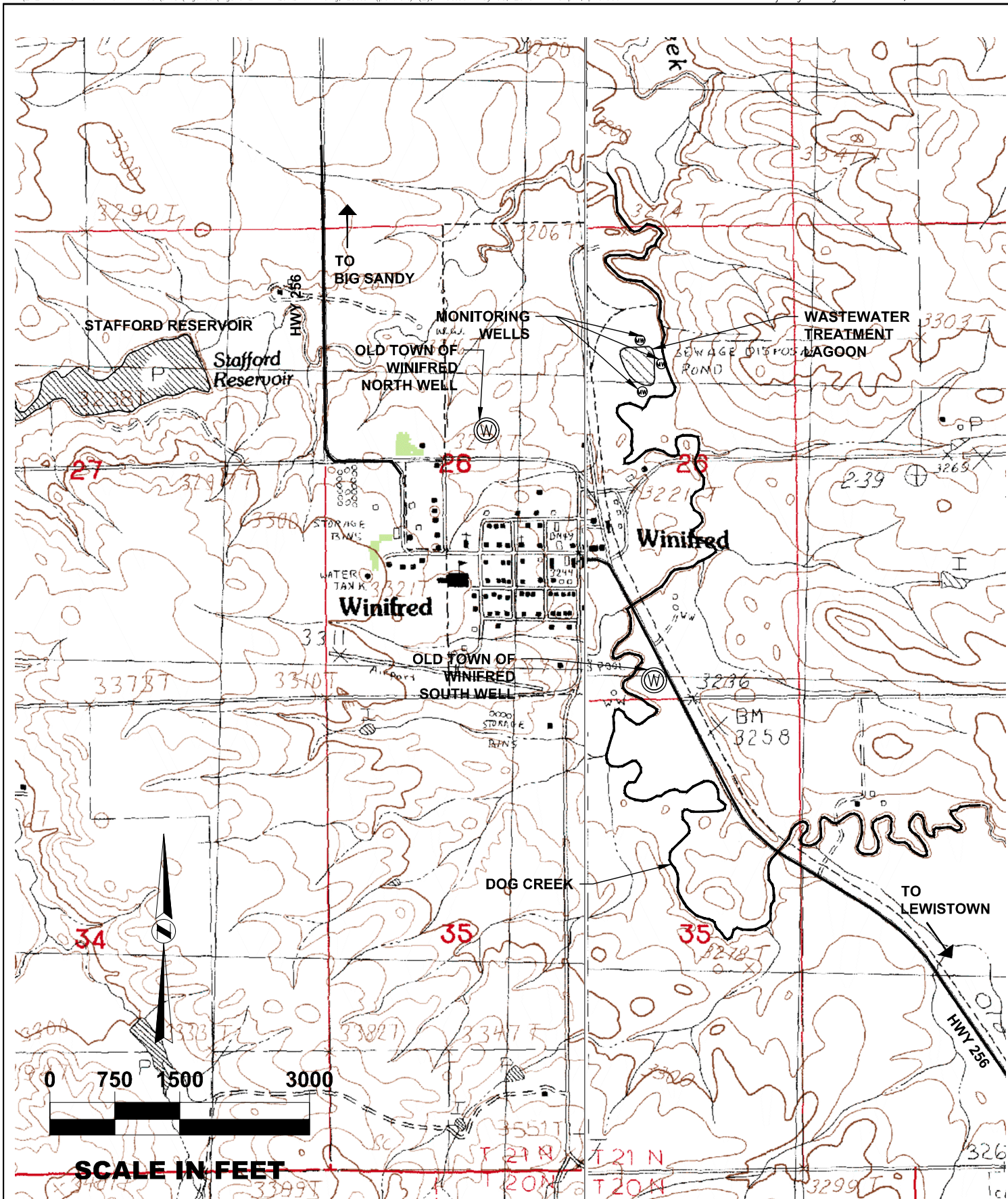
851 BRIDGER DR. STE. 1
BOZEMAN, MT 59715
Phone: (406)522-8594
Fax: (406)522-9528

WINFRED LOCATION MAP

TOWN OF WINFRED
WINFRED WATER
SYSTEM AMENDED PER

DESIGNED: PDH
DRAWN: PDH
CHECKED: KWT
DATE: 5-7-2018

FIGURE
1



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WINIFRED USGS QUAD MAP

**TOWN OF
WINIFRED**
WINIFRED WATER SYSTEM
AMENDED PER

DESIGNED: PDH
DRAWN: PDH
CHECKED: KWT
DATE: 5-7-2018

FIGURE
2.1



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WINIFRED AERIAL PHOTO



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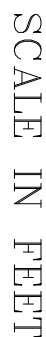
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TOWN OF
WINIFRED

WINIFRED WATER SYSTEM
AMENDED PER

DESIGNED: PDH
DRAWN: PDH
CHECKED: KWT
DATE: 5-7-2018

FIGURE
2.2



Resolution for Designating the Environmental Certifying Official

RESOLUTION NO. 3-2020

WHEREAS, in 2018 the Town of Winifred applied for federal, state, local and private funding for the Town of Winifred Water Improvements Project;

WHEREAS, all necessary funding has been received to permit the project to go forward; and

WHEREAS, an Environmental Certifying Official may be designated by formal resolution.

NOW, THEREFORE, BE IT RESOLVED that:

Rick Baker is designated as the Environmental Certifying Official to produce an Environmental Review Record;

The Town of Winifred will ensure that it and all of its contractors or agents shall conduct all program matters in a non-discriminatory manner such that all persons regardless of race, gender, age, disability, or other protected class shall be treated equally and further each shall comply with the policies and procedures delineated in the 2018 Town of Winifred Management Plan, approved by the Montana Department of Commerce Community Development Block Grant Program.

BE IT FURTHER RESOLVED that the above designation shall become effective on 10
March, 2020.

Town of Winifred

Fergus County, Montana

By


Chief Elected Official

Attest

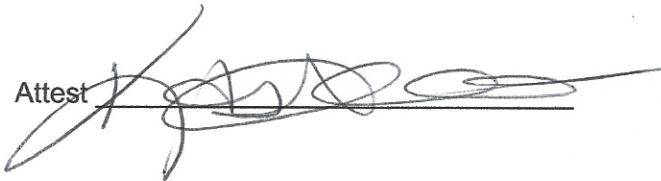


EXHIBIT 2-Q**REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION (RROF) FOR
AN ENVIRONMENTAL ASSESSMENT**

(Pursuant to Section 104(h) of Title I of the Housing and
Community Development Act of 1974 as Amended)

ENVIRONMENTAL – FOR ENVIRONMENTAL ASSESSMENT*

1. NAME OF GRANTEE	2. GRANT/CONTRACT NUMBER
Town of Winifred, Montana	MT-CDBG-19PF-03
3. ADDRESS (Include Street, City, State, ZIP Code.)	4. REQUEST DATE
PO Box 181 210 Main Street Winifred, MT 59489	6-17-2020

5. **REQUEST FOR RELEASE OF FUNDS.** Release of approved grant funds for the following project is requested.

PROJECT

Winifred New Water Storage Tank

GRANTEE(If Other than applicant)

Town of Winifred, Montana

6. **CERTIFICATION.** With reference to the above project, I the undersigned officer of the applicant, certify:

- That the applicant has at least fifteen (15) days prior to submitting this request for release of funds and certification, published and disseminated, in the manner prescribed by 24 CFR 58.43 a notice to the public (a copy of which is attached) in accordance with 24 CFR 58.70);
- That the applicant has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project named above; that the applicant has complied with the National Environmental Policy Act of 1969; that the applicant has complied with environmental procedures, permit requirements and the statutory obligations of the laws cited in 25 CFR 58.5; and that the applicant has taken into account the environmental criteria, standards, permit requirements and other obligations applicable to the project under the other related laws and authorities cited in 24 CFR 58.5;
- That the level of environmental clearance carried out by the applicant in conjunction with this project [☐ did [X] did not require the preparation and dissemination of an environmental impact statement;
- That the dates upon which all statutory and regulatory time periods for review, comment, or other response or action in regard to this clearance began and ended as indicated below; applicant is in compliance with the requirements of 24 CFR Part 58;

	COMMENCE MO/DAY/YR	EXPIRE MO/DAY/YR
15-day Notice of No Significant Impact: Publication	5-30-2020	6-14-2020
15-day DOC Decision Period	6-17-2020	7-2-2020
Other (Specify)		

- That I am authorized to, and do, consent to assume the status of responsible federal officer under the National Environmental Policy Act of 1969 and each provision of the law specified in 24 CFR 58.5 insofar as the provisions of these laws apply to state and federal responsibilities for environmental review, decisionmaking and action assumed and carried out by the applicant; that by so consenting, I assume the responsibilities, where applicable, for the conduct of environmental review, decisionmaking, and action as to environmental issues, preparation and circulation of draft, final and supplemental environmental impact statements, and assumption of lead agency or cooperating agency responsibilities for preparation of such statements on behalf of State and Federal agencies, when these agencies consent to such assumption.
- That I am authorized to consent to, and do, accept on behalf of the applicant and personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my official capacity as certifying officer of the applicant.

Rick S. Baker

Rick Baker, Public Works Superintendent, Environmental Certifying Officer

PO Box 181, 210 Main Street, Winifred, MT 59489

Signature, Title and Address of Certifying Officer or Chief Elected Official

6/17/2020

Date

WARNING – Section 1001 of Title 18 of the United States Code and Criminal Procedures shall apply to this certification. Title 18 provides, among other things, that whoever knowingly and willfully makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry, in any matter with the jurisdiction of any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**COMBINED NOTICE: FINDING OF NO SIGNIFICANT IMPACT and NOTICE TO PUBLIC
OF REQUEST FOR RELEASE OF FUNDS (FONSI/NOI/RROF)**

Date of Publication of Notice: May 30, 2020

Town of Winifred

City, Town or County

PO Box 181

Mailing Address

Winifred, MT 59489

City, State, Zip Code

(406) 462-5425

Telephone

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before June 17, 2020 the above-named the Town of Winifred, Montana will request the Montana Department of Commerce (DOC) to release Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383) for the following project:

Winifred New Water Storage Tank

CDBG Project Title or Name

The proposed project will replace the existing water storage tank with a new, larger tank that provides pumping for domestic and fire suppression supply. Upgrades to the existing pumphouse and the installation of water meters, as required by various funding agencies, are also part of the proposed project.

Purpose or Nature of the CDBG Project *(Insert brief description.)*

Town of Winifred, Montana

Location - City, County, State - of CDBG Project

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above named Town of Winifred has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for the decision not to prepare such Statement are as follows *(Set forth reasons for decision.)*:

- The proposed project is in compliance with all applicable Federal, State and local laws and regulations.
- The project does not produce any significant adverse impacts on the environment, as identified in the Environmental Checklist.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named *Town of Winifred*. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request between the hours of 9:00 a.m. and 5:00 p.m.

No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG project funds.

Public Comments on Findings

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the *Town of Winifred* to the *Office of the Public Works Superintendent* on or before June 16, 2020. All such comments so received will be considered and the *Town of Winifred* will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

Release of Funds

The *Town of Winifred* will undertake the project described above with CDBG funds provided by DOC under Title I of the Housing and Community Development Act of 1974, as amended. The *Town of Winifred* is certifying to DOC that the *Town of Winifred and Rick Baker*, in his official capacity as *Public Works Superintendent* consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect on the certification is that upon its approval, the *Town of Winifred* may use the CDBG funds and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to State Release of Funds

The Department of Commerce will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the chief executive officer or other officer approved by the Department of Commerce;
- (b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process;
- (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or
- (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to: Department of Commerce, Community Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after July 4, 2020 will be considered by DOC.

MONTANA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

CONSOLIDATED ENVIRONMENTAL ASSESSMENT FORM

INTRODUCTION

The following form is for the use of Community Development Block Grant (CDBG) recipients who must prepare an Environmental Assessment (EA) as required by HUD Environmental Review procedures for the CDBG program (24 CFR 58.36). Satisfactory completion of this form will meet the requirements of the federal Housing and Community Development Act as well as the national Environmental Policy Act (NEPA).

CDBG recipients must also demonstrate compliance with the environmental requirements of the other related federal environmental laws and regulations listed in the HUD Statutory Checklist (24 CFR 58.5). For this reason, the Statutory Checklist requirements have been combined into this single consolidated form. An index of the applicable federal statutes and regulations is found at the end of this form. Where noted, the numbers that appear to the right of the environmental subject areas listed in the checklist correspond to the listing of statutes found in the index.

The requirements of the Montana Environmental Policy Act (MEPA) and the uniform State administrative rules adopted pursuant to the Act have also been integrated into the consolidated form.

PROJECT IDENTIFICATION

Recipient: Town of Winifred, Montana

Chief Elected Official: Travis Wilson, Mayor

Environmental Certifying Officer: Rick Baker, Public Works Superintendent

CDBG Contract #:

Project Name: Winifred New Water Storage Tank

Person Preparing this
Environmental Assessment: Kathy Thompson, P.E., Stahly Engineering & Associates

Phone Number: (406) 522-8594

EVALUATION OF ENVIRONMENTAL IMPACT

Provide the information requested below and attach additional narrative as appropriate.

1. Describe the proposed action or activity, including construction and end-product (attach maps and graphics as necessary).

The proposed project will replace the existing water storage tank with a new, larger tank that provides pumping for domestic and fire suppression supply. Upgrades to the existing pumphouse and the installation of water meters, as required by various funding agencies, are also part of the proposed project.

The new water tank will be a 170,000-gallon glass lined steel water tank, located adjacent to the existing storage tank. Approximately 3,600 linear feet of new 4-inch diameter PVC will be constructed to connect the well supply line to the new water tank. This will eliminate the well supply line from routing through the Town's distribution system before supplying the storage tank. The pressure tank in the pump house will be eliminated and the entire system will operate as one pressure zone, with pressure controlled by pumps at the new storage tank. The new tank will have a lifespan of approximately 60-years. See Section 1.0, Executive Summary, Page 1, of the PER for additional information.

2. Describe the project site and surrounding area(s), including existing site use and environmental conditions (attach map as applicable).

Winifred and the land immediately surrounding it are primarily gently rolling hills. The surrounding area is characterized as agricultural land with livestock grazing and dry farmland. The project site is located just west of Town, and directly adjacent to the existing water storage tank and pumphouse. See Section 2 of the PER, Page 7, for additional information.

Native vegetation consists primarily of grasses and sagebrush typical of central Montana plains. There are no wetlands in the project vicinity, and the project is not located within a mapped floodplain. There are two species of concern in the planning area, based on information received from the Montana Natural Heritage Program; however, comments from Montana FWP indicate that the project will not significantly impact any endangered species or species of concern.

3. Describe the benefits and purpose of the proposed action.

The purpose of the project is to provide a water reservoir for the Town of Winifred that will store the average day demand plus the fire reserve. In addition, the installation of larger water distribution pipes (future planned phase(s)) will allow for adequate fire flow and system pressures. See Section 4 of the PER, Page 31, for additional information.

The benefits of the proposed project are numerous. Currently, there is no fire storage available during most of the summer months and only a nominal amount during winter months. In addition, the current reservoir does not provide sufficient water system pressure. Residual pressures are likely less than zero psi during any fire flow scenario, producing a chance of a contaminated water system every time a hydrant is exercised.

The new system will allow for adequate fire protection for the Town, will increase water pressures that are, at times, too low for the system to adequately operate, and allow for

expanded development in Winifred. Development in Winifred is currently unallowable due to insufficient water supply.

4. Describe all sources of project funding:

Current funding for the project consists of the following sources:

<u>Source of Funding</u>	<u>Amount of Funding</u>
Renewable Resource Grant and Loan Program (RRGL)	\$125,000
Community Development Block Grant (CDBG)	\$450,000
State Revolving Fund Loan (SRF)	\$150,000
Asbjornson Trust (Private Funds)	\$700,000
Town of Winifred	\$113,422
TOTAL	\$1,538,422

5. Describe any project plans or studies which are relevant to the project.

A Preliminary Engineering Report (PER) for the project was completed in 2018. The PER evaluated the existing facilities, analyzed seven project alternatives, selected a preferred project alternative, described in detail the preferred project alternative, and discussed a funding strategy for the project.

6. Proposed implementation schedule.

TOWN OF WINIFRED WATER SUPPLY PROJECT										
(QUARTERLY PROJECT IMPLEMENTATION SCHEDULE)										
Task	2019 Quarters			2020 Quarters				2021 Quarters		
	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd
	A-M-J	J-A-S	O-N-D	J-F-M	A-M-J	J-A-S	O-N-D	J-F-M	A-M-J	J-A-S
Project Start Up										
Establish Start Up Conditions*		x								
Sign RRGL Contract		x								
Project Design										
Advertise for & Select Engineer	(complete)									
Commence Final Design		x								
DEQ Design Basis Report		x								
DEQ Review and Approval of Design Report		x								
Plans and Specs to DEQ for Review and Approval				x						
Advertisement for Construction Bid										
Review Contract Requirements				x						
Public Bid Advertisement					x					
Open Bids & Examine Proposals					x					
Request Contractor Debarment Review					x					
Select Contractor & Award Bid					x					
Conduct Pre-Construction Conference					x					
Issue Notice to Proceed to Contractor					x					
Project Construction										
Begin Construction					x					
Monitor Engineer & Contractor					x	x	x			
Conduct Labor Compliance Reviews					x	x	x			
Hold Construction Progress Meetings					x	x	x			
Final Inspection							x			
System Startup							Pro			
Project Close Out										
Submit Final Drawdown							x			
Project Completion Report							x			
Submit Conditional Certification							x			
Submit Final Certification							x			
*dependent on CDBG Funding										

7. Compliance with any applicable local plans, ordinances, or regulations.

	Project is in Compliance		
	Yes	No	Not Applicable
Local Comprehensive (Growth Management) Plans including housing, land use and public facilities elements	<input type="checkbox"/>	<input type="checkbox"/>	X
Local zoning ordinances or land use regulations, such as permit systems or soil conservation district requirements	X	<input type="checkbox"/>	<input type="checkbox"/>

8. Evaluation of impact, including cumulative and secondary impacts, on the Physical Environment:

Please complete the following checklist. Attach narrative containing more detailed analysis of topics and impacts that are potentially significant.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/ Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
<u> </u> N	Soil Suitability, Topographic and/or Geologic Constraints	Based on information from the NRCS Soil Survey, there are eleven different soil types in and around Winifred. The predominant soil type in the area of Town, and the proposed tank location to the west, is Version-Linnet clay loam. This soil type is a well-drained soil with moderate conductivity and not prone to flooding or ponding. See Appendix B of the PER.
	HUD Environmental Criteria--24 CFR Part 51:	
<u> </u> N	51(b) Noise--Suitable Separation Between Housing & Other Noise Sensitive Activities & Major Noise Sources (Aircraft, Highways & Railroads) ^{8 *}	There may be temporary noise during construction of the project; however, construction operation hours will be limited to 7 a.m. to 7 p.m. No long-term impacts to noise are anticipated upon completion of the project. (Engineer, April 2018)
<u> </u> N	51(c) Hazardous Facilities--Acceptable Separation Distance from Explosive and Flammable Hazards (Chemical/ Petrochemical Storage Tanks & Facilities--ex., Natural Gas Storage Facilities & Propane Storage Tanks) ^{7 *}	There are no known hazardous facilities within the general vicinity of the proposed project and the proposed project will not introduce the use of explosive or flammable hazards. (Engineer, April 2018)
<u> </u> N	51(d) Airport Runway Clear Zones—Avoidance of Incompatible Land Use in Airport Runway Clear Zones ^{7*}	There are no airports in the general project vicinity, and no impacts to airport runway clear zones are anticipated as a result of the project. (Engineer, April 2018)
<u> </u> N	EPA Hazardous Waste Sites, or Other Hazards or Nuisances Not Covered Above	There are no known hazardous facilities within the general vicinity of the proposed project. (Engineer, April 2018)
<u> </u> N	Lead-based Paint ¹³	No impacts to the project are anticipated due to lead based paint. (Engineer, April 2018)

*See index at end of form.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
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KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
B, M	Asbestos ¹⁴	Existing water mains in the Town are asbestos concrete pipe. The proposed project replaces a portion of the existing asbestos concrete main. Removal of asbestos pipe will follow all regulations set forth by the Montana DEQ Asbestos Control Program. (Engineer)
N	Effects of Project on Surrounding Air Quality or Any Effects of Existing Air Quality on Project ^{1*}	There may be some temporary dust associated with project construction; however, dust control will be required as part of the construction contract. Removal of existing asbestos pipe will require removal and disposal in accordance with the Montana DEQ Asbestos Control Program. There will be no long-term impacts to the surrounding air quality as a result of the project. (Engineer)
N	Groundwater Resources & Aquifer ^{a 10*}	The project is not located within an EPA-designated sole source aquifer (see attached map). No new wells are proposed; however, a larger amount of finished water in storage is proposed. The Winifred area is subject to fairly high water tables in places, with a static water table of approximately 20 feet in much of the Town to less than five feet along Dog Creek to the east. West of Winifred, flowing wells are fairly common. No impacts to the water table are anticipated. (Engineer)
P	Surface Water/Water Quality, Quantity & Distribution ^{10.*}	The project is not located within an EPA-designated sole source aquifer (see attached map). A stormwater discharge permit for construction will need to be secured from MDEQ. There are no long-term negative effects from runoff or impacts to streams, lakes, irrigation systems, or canals. (Engineer)
N	Floodplains & Floodplain Management ^{5*}	The FEMA Map Service Center website was reviewed for floodplain maps of the area. The flood insurance rate map shows there is no mapped 100-year flood plain of Dog Creek (see attached map). Dog Creek is 0.55 miles away. (Engineer, Montana DNRC)
N	Wetlands Protection ^{11*}	The US Fish and Wildlife Service National Wetlands Inventory and the Montana Natural Heritage Program were accessed to ascertain any wetlands located near to the project site (see attached map). No RWRP, DEQ, or Heritage Wetland sites were shown within the project site. The Engineer did not note any wetlands in the area and no negative impacts are anticipated as a result of the proposed project.

^aIncluding Sole Source Aquifer. Contact DOC for further information regarding Missoula-area projects.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/ Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
N	Agricultural Lands, Production, & Farmland Protection ^{3*}	Native vegetation consists primarily of grass and sagebrush typical of central Montana plains. None of the proposed construction area is currently under irrigation. A portion of the new water line will be installed through an existing wheat field. After construction, the field will be restored back to wheat production. Appendix G of the PER for the Farmland Conversion Impact Rating Form.
N	Vegetation & Wildlife Species & Habitats, Including Fish ^{4*}	Information regarding species of concern for vegetation and wildlife species was obtained through the Montana Natural Heritage Program (see Appendix F of the PER). No vegetative species of concern were identified within project boundary. The proposed project will have no impact on aquatic vegetation or habitat as the water is sourced by existing wells. (Engineer)
N	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species ^{2*}	The Montana Natural Heritage Program was contacted and a search of their database for species of special concern was completed. There were two species of concern in the planning area as indicated in PER including the Sage Grouse and the Pinon Jay (see Appendix F of the PER). Comments from the Montana Fish Wildlife and Parks indicate that the project will not significantly impact any of Montana's endangered species or species of special concern. The U.S. Fish and Wildlife Service indicated that they also have no comment or concern regarding impacts to species of concern as a result of the project (see Appendix G of the PER for Agency letters).
N	Unique Natural Features	The Montana State Historic Preservation Office (SHPO) was contacted to determine whether there are significant historical and cultural resources within the project area. The response from SHPO indicated that they feel there is a low likelihood that cultural properties will be impacted. They also indicated a recommendation for a cultural resource inventory is unwarranted at this time. (Montana State Historic Preservation Office, see Appendix G of the PER for Agency letter)
N	Access to and Quality of Recreational & Wilderness Activities, and Public Lands, Including Federally Designated Wild & Scenic Rivers ^{12*}	According to the National Wild and Scenic Rivers System website, the only designated rivers in Montana are the Flathead, Missouri, and East Rosebud Creek. There are no anticipated impacts to the access or quality of recreational and wilderness activities, public lands and waterways, or public open spaces as a result of the proposed project (see Appendix G of the PER for Agency letter). (US FWS, Engineer)

9. Evaluation of impact, including cumulative and secondary impacts, on the Human Population in the area to be affected by the proposed action:

Please complete the following checklist. Attach narrative containing more detailed analysis of topics and impacts that are potentially significant.

Key Letter: **N** - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
<u>A</u>	Visual Quality--Coherence, Diversity, Compatible Use, and Scale Aesthetics	No negative impacts are anticipated on visual quality. The new storage tank may be visible from some roads, but overall, it is in a limited access area and will not be noticed. The new tank will be larger in diameter but constructed to a similar height. (Engineer)
<u>N</u>	Historic Properties, Cultural, and Archaeological Resources ^{6 *}	The State Historic Preservation Office (SHPO) was contacted and asked to comment on the proposed project. SHPO noted that "there is a low likelihood cultural property will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time." (Montana State Historic Preservation Office, see Appendix G of the PER for Agency letter)
<u>N</u>	Changes in Demographic (Population) Characteristics	The proposed project is not anticipated to impact demographic characteristics. (Engineer)
<u>B</u>	Environmental Justice ^{13 *}	This project does not locate or cause the location of any lower income households into unacceptable areas. The proposed project improves the water supply system for the entire Town of Winifred. (Engineer)
<u>B</u>	General Housing Conditions--Quality & Quantity	Currently, no new development is permissible due to low water pressure and lack of fire flows available. This project will benefit the quantity of houses available. (Engineer)
<u>N</u>	Displacement or Relocating of Businesses or Residents	The proposed project will not require displacement or relocation of businesses and/or residents. (Engineer)
<u>B</u>	Human Health	The proposed project will strengthen and enhance the public water supply for the Town of Winifred. Water system pressure will be increased to meet or exceed MDEQ minimums. Currently there is no fire reserve available and if a fire were to break out during the summer months, there would likely not be any water in the current storage tank to fight a fire. Currently every time a hydrant is flowed, system pressure becomes negative, creating a condition where groundwater may flow into the distribution system piping, creating an opportunity for contaminants or water borne illnesses to invade. The project will correct this situation, enhancing public health. (Engineer)

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
<u>N</u>	Local Employment & Income Patterns-- Quantity and Distribution of Employment	There are no anticipated impacts to local employment or income patterns directly attributed to the proposed project. (Engineer)
<u>B</u>	Local and State Tax Base & Revenues	With this proposed project the town will be able to develop more residences and businesses with the increase in water storage. There will be local and state tax base and revenues directly attributed as a result of the proposed project. (Engineer)
<u>N</u>	Educational Facilities	There is no anticipated impact to the educational facilities as a direct result of the proposed project.
<u>N</u>	Commercial and Industrial Facilities, Production & Activity	There is no anticipated impact to the commercial and industrial facilities as a direct result of the proposed project.
<u>N</u>	Health Care	There is no anticipated impact to the commercial and industrial facilities as a direct result of the proposed project.

<u>N</u>	Social Services	There is no anticipated impact to social services as a direct result of the proposed project.
<u>N</u>	Social Structures & Mores (Standards of Social Conduct/Social Conventions)	All work on the proposed project will be paid equally by all residents using an equivalent dwelling unit (EDU) schedule to increase cost of service to all users proportionally. (Engineer)
<u>N</u>	Land Use Compatibility	The proposed project provides excellent use of available land. No change in land use will be required. (Engineer)
<u>A</u>	Energy Consumption	There will be a slight increase in energy consumption as the fire flows will be pumped. (Engineer)
<u>N</u>	Solid Waste Disposal ^{9*}	There are no anticipated impacts to solid waste management as a result of the proposed project. (Engineer)
<u>N</u>	Wastewater--Sewage System	There are no anticipated impacts to wastewater treatment as a result of the proposed project. (Engineer)
<u>N</u>	Storm Water	There are no anticipated impacts to storm water as a result of the proposed project. (Engineer)

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
B	Community Water Supply	With the proposed project there will be an increase in finished water storage for the Town of Winifred. (Engineer)
N	Public Safety: Police	There are no anticipated impacts to police as a result of the proposed project. (Engineer)
B	Fire	There will be an adequate amount of water storage for fire protection as a result of the proposed project. Currently, there is no dedicated fire reserve volume available. (Engineer)
N	Emergency Medical	There are no anticipated impacts to emergency medical services as a result of the proposed project. (Engineer)
N	Parks, Playgrounds, & Open Space	There are no anticipated impacts to parks, playgrounds, and open spaces as a result of the proposed project. (Engineer)
N	Cultural Facilities, Cultural Uniqueness, & Diversity	There are no anticipated impacts to cultural facilities, cultural uniqueness, and diversity as a result of the proposed project. The State Historic Preservation Office (SHPO) was contacted and asked to comment on the proposed project. SHPO noted that "there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time." (SHPO, see Appendix G of the PER)
N	Transportation--Air, Rail & Auto (Including Local Traffic)	There are no anticipated impacts to transportation as a result of the proposed project. (Engineer)
B	Consistency with Other State Statutes or Local Ordinances, Resolutions, or Plans (<i>to be added by local community</i>)	The proposed project is consistent with all local ordinances, resolutions, and plans. (Town of Winifred)

10. Describe and analyze reasonable alternatives to the proposed activity whenever alternatives are reasonably available and prudent to consider, and discuss how the alternatives could be implemented, if applicable.

Alternatives analyzed as part of the PER include:

- S-1: Bolted Steel Water Storage Reservoir
- S-2: Welded Steel Water Storage Reservoir
- S-3: Glass Lined Bolted Steel Water Storage Reservoir
- S-4: Elevated Welded Steel Water Storage Reservoir
- S-5: Reinforced Concrete Water Storage Reservoir
- D-1: Water Main Replacement
- PH-1: Pumphouse Improvements

The selected alternative is S-3, with the addition of D-1 and PH-1. See the Section 5.0, Page 33, of the PER for detailed information on the alternatives analyzed and the decision matrix used for selecting a preferred alternative.

11. Where applicable, list and evaluate mitigation actions, stipulations, and other controls which will be enforced by the local government or another governmental agency.

Montana DEQ approval will be required for all construction items, as well as a stormwater discharge permit for the construction phase. All required water rights are in place, and an EA will be completed as part of the funding agency requirements.

12. Is the proposed project in compliance with all applicable Federal, State, and local laws and regulations?

☒ Yes ☐ No

LEVEL OF CLEARANCE FINDING:

Based on the foregoing environmental review, it is concluded that:

[X] FINDING: A request to the Montana Department of Commerce for release of funds for the within project **is not** an action significantly affecting the quality of the human environment, and no EIS is required. A Finding of No Significant Impact (FONSI) can be made.

OR

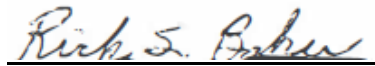
[] FINDING: A request to the Montana Department of Commerce for release of funds for the within project **is** an action significantly affecting the quality of the human environment, and an EIS is required.

Finding Executed by:

Name (Typewritten): Rick Baker, Public Works Superintendent

Title: Environmental Certifying Officer

Signature:



Date: 06/17/20

INDEX OF APPLICABLE FEDERAL STATUTES AND REGULATIONS INCLUDED IN THE CHECKLIST

1. Air Quality

- a. Clean Air Act (42 U.S.C. 7401 et seq.) as amended; particularly section 17(c) and (d) (42 U.S.C. 7506(c) and (d)).
- b. Determining Conformity of Federal Actions to State or Federal Implementation Plans (Environmental Protection Agency-- 40 CFR parts 6, 51, and 93).

2. Endangered Species

- a. The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) as amended; particularly section 7 (16 U.S.C. 1536).

3. Farmlands

- a. Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) particularly sections 1540(b) and 1541 (7 U.S.C. 4201(b) and 4202).
- b. Farmland Protection Policy (U.S. Department of Agriculture 7 CFR Part 658).

4. Fish and Wildlife

- a. Fish and Wildlife Coordination Act (16 U.S.C. 661-666c).

5. Floodplain

- a. Executive Order 11988, Floodplain Management, May 24 1977 (42 FR 26951, 3 CFR, 1977 Comp., as interpreted in HUD regulations at 24 CFR Part 55.
- b. Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001-4128).
- c. National Flood Insurance Program (44 CFR 59-79).

6. Historic Properties

- a. The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.), particularly sections 106 and 110 (16 U.S.C. 470 and 470h-2), except as provided in ☐58.17 for Section 17 projects.
- b. Executive Order 11593 - Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921), 3 CFR 1971-1975 Comp., particularly section 2(c).
- c. 36 CFR Part 800 with respect to HUD programs other than Urban Development Grants (UDAG)

- d. The Reservoir Salvage Act of 1960 as amended by the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469 et seq.), particularly section 3 (16 U.S.C 469a-1).

7. Man-made Hazards

- a. Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature, 24 CFR Part 51, Subpart C, (49 FR 5103, 2/10/84).
- b. HUD Notice 79-33, Policy Guidance to Address the Problems Posed by Toxic Chemicals and Radioactive Materials, 9/10/79.
- c. Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields, 24 CFR Part 51, Subpart D (49 FR 880, 1/6/84)

8. Noise

- a. Noise Abatement and Control, 24 CFR Part 51, Subpart B, (44 FR 40861, 7/12/79, as amended at 61 FR 13333, 3/26/96).

9. Solid Waste Disposal

- a. Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901-6987).
- b. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 240-265.

10. Water Quality

- a. Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1376).
- b. The Safe Drinking Water Act of 1974, as amended (42 U.S.C. 69-01-6978, 300f-300j-10).
- c. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 100-149.
- d. Missoula, Montana Sole Source Aquifer, in accordance with Section 1424 (e) of the Safe Drinking Water Act, 42 U.S.C. Section 300h-3 (1982).

11. Wetlands

- a. Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961), 3

CFR, 1977 Comp., particularly sections 2 and 5; and Applicable State Legislation or Regulations.

12. Wild and Scenic Rivers

- a. Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et. seq.) as amended, particularly section 7(b) and (c), (16 U.S.C. 1278 (b) and (c)).

Note: *In Montana, this act applies to the North Fork of the Flathead River from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir; and, the Missouri River consisting of the segment from Fort Benton, one hundred and forty-nine miles downstream to Fred Robinson Bridge.*

13. Environmental Justice

- a. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994 (59 FR 7629), 3 CFR, 1994 Comp. P. 859. (24 CFR Part 58.5, April 30, 1996)

14. Lead-based Paint

HUD Lead-based Paint Standards (24 CFR Part 35) and Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act that appear within Title X of the Housing and Community Development Act of 1992.

15. Asbestos

OSHA's asbestos standard (29 CFR 1926.1101) and EPA asbestos sections of NESHAP (National Emission Standard for Hazardous Air Pollutants), administered by Montana Department of Environmental Quality's Asbestos Control Program.

TARA RICE
DIRECTOR



STEVE BULLOCK
GOVERNOR

July 30, 2020

Mayor Travis Willson
Town of Winifred
PO Box 181
Winifred, MT 59489

Re: Community Development Block Grant (CDBG) Public Facilities – Town of Winifred,
Contract MT-CDBG-19PF-03, **Environmental Release of Conditions**

Dear Mayor Willson:

This letter is to inform you of the following actions related to your CDBG award for the Town of Winifred as follows:

- (A) Environmental Release of Funds; and
- (B) Release of Start-up Conditions.

A. Environmental Release of Funds

The Environmental Review Record (ERR) prepared for the Town of Winifred wastewater improvements project has been received by the Montana CDBG Program – including the (a) *Environmental Assessment Form*; (b) the 30, May 2020 *Finding of No Significant Impact / Notice of Intent to Request Release of Funds*; and (c) 17, June 2020 *Request for Release of Funds (RROF) and Certification of the Environmental Assessment*. The ERR file for this project is complete.

The Finding of No Significant Impact and the Notice of Intent to Request Release of Funds (FONSI /NOI/RROF) was published in the *Lewistown News-Argus*, a newspaper of regional distribution, on 30, May 2020. CDBG regulations require a fifteen-day local comment period following the date of publication before the Request for Release of Funds is submitted to the state. In the Town's case, the minimum fifteen-day local comment period was 1, June 2020 through 15, June 2020. No comments or objections were received. The CDBG Program received the Request for Release of Funds (RROF) on 17, June 2020. The second comment period commenced on 18, June 2020 and ended 6, July 2020. All comments, if received, have been considered. The minimum waiting period has expired.

The environmental condition of the CDBG award is hereby removed. Please retain this letter in the environmental file for this project.

TARA RICE
DIRECTOR



STEVE BULLOCK
GOVERNOR

B. Release of start-up conditions:

Documentation of completion of start-up conditions regarding commitment of all non-CDBG funds referenced in the CDBG project budget, receipt and approval of the project management plan, updated implementation schedule, and documentation of Civil Rights requirements, has been received by CDBG and each of these conditions is hereby released. The contract will be forthcoming shortly. Upon full execution of the contract, the Town of Winifred is hereby authorized to use funds provided under MT-CDBG-19PF-03.

If you have any questions or concerns, please call me at (406)841-2708 or e-mail at Kacey.pilon@mt.gov.

Sincerely,

Kacey Pilon

Kacey Pilon
Infrastructure Program Specialist
Montana Department of Commerce

CC: Kathy Thompson, P.E., Stahly Engineering
Robie Culver, Stahly Engineering
Kurt Thomson, P.E., Stahly Engineering